

## IN THE CLAIMS

Claims 27 and 28 have been amended. Claims 27 and 28 are pending in the present application. The following is the status of the claims of the above-captioned application, as amended.

Claims 1-26 (cancelled).

Claim 27 (Currently Amended): A method for producing a heterologous protein comprising:  
(a) culturing a non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell comprising a nucleic acid sequence operably linked to a promoter encoding the heterologous protein, wherein the host cell has the identifying characteristics of the non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell of ATCC-20334 NRRL 30747; and  
(b) isolating the heterologous protein.

Claim 28 (Currently Amended): An isolated non-toxic, non-toxicogenic, non-pathogenic *Fusarium venenatum* host cell, having the identifying characteristics of *Fusarium venenatum* ATCC-20334 NRRL 30747, comprising a nucleic acid sequence encoding a heterologous protein.